

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**March 18, 2010**

DIVISION ONE

[illegible]

The judgment is affirmed.

Mallano, P.J.

We concur:   Rothschild, J.  
                      Johnson, J.

B218841 People (Not for Publication)  
v.  
Ortega

The judgment is affirmed.

Chaney, J.

We concur: Rothschild, Acting P.J.  
Johnson, J.

B210060      People  
v.  
Carillo

Filed order denying petition for rehearing.

March 18, 2010 (Continued)

## DIVISION TWO

B216019 People (Not for Publication)  
v.  
Gonzales

### The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B192900      Dillingham-Ray Wilson      (Certified for Partial Publication)  
v.  
City of Los Angeles  
CBI Services, Inc.

The award is modified to reflect that DRW is entitled to 7 percent interest on the prompt pay penalties. As modified, the award in favor of DRW is affirmed. The judgment is otherwise reversed and remanded for further proceedings on DRW's excluded contract claims. DRW and CBI shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Doi Todd, J.

## DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy Clerk.

DIVISION FOUR (continued)

Each of the following:

B214386 People v. Evangelista  
B209622 People v. Contreras et al.  
B219048 DCFS v. C.M.

Argument waived, cause submitted.

B218907      In re Penniewell on Habeas Corpus

Merits:

Argued by Ryan K. Schneider, Deputy Attorney General, for appellant and by Nancy L. Tetreault for respondent. Cause submitted.

B214024      700 Wilshire Properties  
v.  
Los Angeles Community College District, et al.

Merits:

Argued by Morton G. Rosen for appellant. No appearance on behalf of respondent. Cause submitted.

B211190      People  
v.  
Rivera

Merits:

Argued by Dan Mrotek for appellant and by John Yang, Deputy Attorney General, for respondent. Cause submitted.

B216146      Martinez  
v.  
Girgis et al.

Merits:

Argued by Armen M. Tashjian for appellant and by Richard Barrios for respondents. Cause submitted.

DIVISION FOUR (continued)

B219647      Lojack Corporation  
                 v.  
                 Superior Court, Los Angeles County  
                 (Rutti, r.p.i.)

Merits:  
Argued by Dan Chammas for petitioner and by John Glugoski for real party  
in interest. Cause submitted.

B215100      Carlisi  
                 v.  
                 MacAllister

Merits:  
Argued by Thomas MacAllister appellant in propria persona. No  
appearance on behalf of respondent. Cause submitted.

B217850      Jones  
                 v.  
                 Tompkins

Merits:  
Argued by Ray Jones, appellant in propria persona. No appearance on  
behalf of respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J., Suzukawa, J. and S. Veverka, Deputy  
Clerk.

DIVISION FOUR (continued)

Each of the following:

B214338 People v. Wences-Cruz  
B214185 People v. Contreras  
B214544 People v. Pugh  
B216672 DCFS v. Martin O.  
B213079 State Compensation Insurance Fund v. Notis Enterprises  
B215475 Zuzanska v. Hanson

Argument waived, cause submitted.

B214822      Garcia, et al.  
                 v.  
                 World Savings FSB

Merits:  
Argued by Joseph W. Creed for appellants and by Robin C. Campbell for respondent. Cause submitted.

B215864      Black  
                 v.  
                 White

Merits:  
Argued by Tim Harris for respondent. No appearance by appellant. Cause submitted.

B214224      Miller  
                 v.  
                 Hawaiian Gardens Casino, et al.

Merits:  
Argued by Jason L. Oliver for appellant, by Tracey A. Kennedy for respondent Hawaiian Gardens Casino and by Michael St. Denis for respondents Certified Network M, et al. Cause submitted.

DIVISION FOUR (continued)

B218266 Jocer Enterprise, Inc., et al.  
v.  
Price, et al.

Merits:  
Argued by Christopher D. Lockwood for appellants and by Jonathan B. Cole for respondents. Cause submitted.

Court adjourned

DIVISION FIVE

B216194 People (Not for Publication)  
v.  
Jose Passalacqua

The judgment is affirmed.

Mosk, Acting P.J.

We concur: Kriegler, J.  
Weisman, J. (Assigned)

DIVISION SIX

B216544 People (Not for Publication)  
v.  
Lewis C. Monigan

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.  
Yegan, J.

## March 18, 2010 (Continued)

## DIVISION SIX (continued)

B218735      People      (Not for Publication)  
v.  
Nicholas Sean Coffman

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Coffee, J.

[illegible]

We reverse the February 6, 2009, sentencing orders and remand this matter for resentencing. The court shall impose an aggregate sentence of 32 months or less. It shall not impose any pre-sentence investigation fees.

Coffee, J.

We concur: Gilbert, P.J.  
Perren, J.

B217212      Vista de Santa Barbara      (Not for Publication)  
v.  
Vista de Santa Barbara Assoc.

The order denying the motion to compel arbitration is affirmed. The stay, which was imposed by this court on October 20, 2009, is vacated. Respondent is awarded costs on appeal.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

## DIVISION SIX (continued)

B212692 People (Not for Publication)  
v.  
Diaz

The judgment is affirmed. The trial court is directed to correct the abstract of judgment as follows: on the first page, the abstract shall show a sentence of 45 years to life, instead of 15 years to life, on count 1 (deliberate and premeditated attempted murder); on the second page, the abstract shall show that the four-year sentence on count 4 (assault with a deadly weapon) is stayed pursuant to section 654 and that the sentence on count 5 (carrying a concealed dagger) is the upper term of three years, to be served concurrently. The trial court shall transmit a certified copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.

Yegan, Acting P.J.

We concur: Coffee, J.  
Perren, J.

B218438 People (Not for Publication)  
v.  
Young

The judgment is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                         Yegan, J.



## DIVISION SIX (continued)

B216697 People (Not for Publication)  
v.  
Shane D.

The juvenile court shall correct the dispositional minute order to reflect that count 2 was declared to be a misdemeanor. The court shall also strike the minute order's reference to a maximum term of confinement. In all other respects, the judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

B212988 People v. Alvarez (Not for Publication)

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We direct the trial court to modify the judgment to reflect the imposition of concurrent sentences on counts 2 through 5 and to add a requirement that appellant submit to DNA testing (Section 296, subd. (a)(1)). A copy of the amended abstract of judgment shall be forwarded to the Department of Corrections and Rehabilitation. The judgment is otherwise affirmed.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

B219722      People  
v.  
Burce

Filed order granting motion to dismiss appeal.

## DIVISION EIGHT

B213089 People (Not for Publication)  
v.  
Aragon

The judgment is affirmed.

Bigelow, P.J.

We concur: Flier, J.  
Lichtman, J. (Assigned)

B208771      Davis      (Not for Publication)  
v.  
G.J. Siegel & Associates

Appeals have been taken from the following: (a) the order denying the motion to strike the notice of association of counsel filed by Crozier on April 21, 2003; (b) the order denying the motion to vacate G.J. Siegel & Associates, Inc.'s dismissal; (c) the order denying the motion to vacate the order assigning G.J. Siegel & Associates, Inc.'s interest in the \$750,000 note to the R.T Asset Trust; and (d) the order denying the motion to vacate the stipulated judgment. These appeals are dismissed. Respondent is to recover its costs on appeal.

Flier, J.

We concur: Bigelow, P.J.  
Lichtman, J. (Assigned)

## DIVISION EIGHT (continued)

B218035      In re Joseph V.      (Not for Publication)  
                  Los Angeles County, D.C.F.S.  
                  v.  
                  Samuel V., et al.

The orders under review are affirmed.

Lichtman, J. (Assigned)

We concur: Bigelow, P.J.  
Rubin, J.

B213126      Logix Development Corp.  
v.  
Faherty

Filed order denying petition for rehearing.